

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William J. Hennen

Serial No.: 10/646,615

Filed: August 22, 2003

For: CARDIOVASCULAR THERAPY
COMPOSITION INCLUDING TRANSFER
FACTOR AND THERAPEUTIC METHODS
INCLUDING USE OF THE COMPOSITION

Confirmation No.: 8609

Examiner: T. Kim

Group Art Unit: 1651

Attorney Docket No.: 2820-5474.1US

VIA ELECTRONIC FILING
March 30, 2010

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

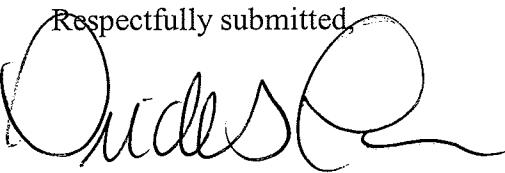
MAIL STOP 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On December 23, 2009, Applicant filed an Amendment in the above-referenced utility application electronically with the U.S. Patent and Trademark Office. With the Amendment, Applicant paid \$220 for two additional independent claims. On January 28, 2010 an additional \$130 was deducted from Deposit Account 20-1469 by the Patent Office for 5 additional claims. This amount should not have been charged because when the application was filed, fees for a total of 67 claims had been paid. Currently, with the claims added on the December 23, 2010, only 48 claims are pending in the application.

Pursuant to Rule 37 C.F.R. § 1.26(a), Applicants request a refund of \$130.00.

Please refund the \$130.00 amount directly to Applicant's attorneys via their USPTO deposit account, TRASKBRITT, PC, Deposit Account No. 20-1469, and reference Attorney Docket No. 2820-5474.1US.

Respectfully submitted,


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Date: March 30, 2010

BGP/kso

Document in ProLaw

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD					Application or Docket Number		Filing Date							
Substitute for Form PTO-875					10/646,615		08/22/2003							
APPLICATION AS FILED – PART I					OTHER THAN SMALL ENTITY									
(Column 1)			(Column 2)		SMALL ENTITY <input checked="" type="checkbox"/>		OR							
FOR		NUMBER FILED		NUMBER EXTRA		RATE (\$)		FEE (\$)						
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A		N/A		N/A		N/A						
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A		N/A		N/A		N/A						
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A		N/A		N/A		N/A						
TOTAL CLAIMS (37 CFR 1.16(i))		minus 20 =		*		X \$ =		X \$ =						
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*		X \$ =		X \$ =						
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).												
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))														
* If the difference in column 1 is less than zero, enter "0" in column 2.														
APPLICATION AS AMENDED – PART II														
(Column 1)			(Column 2)		(Column 3)		OTHER THAN SMALL ENTITY							
AMENDMENT	12/23/2009		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		SMALL ENTITY		OR			
	RATE (\$)		ADDITIONAL FEE (\$)		RATE (\$)		ADDITIONAL FEE (\$)		SMALL ENTITY		OR			
	X \$26 =		130		OR		X \$ =		TOTAL		TOTAL			
	X \$110 =		0		OR		X \$ =							
Total (37 CFR 1.16(i))		* 48		Minus		** 43		= 5		TOTAL ADD'L FEE		130		
Independent (37 CFR 1.16(h))		* 6		Minus		***6		= 0		TOTAL ADD'L FEE				
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))														
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))														
(Column 1)			(Column 2)		(Column 3)		OTHER THAN SMALL ENTITY							
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE (\$)		ADDITIONAL FEE (\$)		RATE (\$)			
	RATE (\$)		ADDITIONAL FEE (\$)		RATE (\$)		ADDITIONAL FEE (\$)		RATE (\$)					
	X \$ =													
	X \$ =													
	Total (37 CFR 1.16(i))		*		Minus		**		=		TOTAL ADD'L FEE		TOTAL ADD'L FEE	
	Independent (37 CFR 1.16(h))		*		Minus		***		=		TOTAL ADD'L FEE		TOTAL ADD'L FEE	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))														
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))														
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.														
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".														
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".														
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.														
Legal Instrument Examiner: /JACQUELINE E. COUPLIN/														

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:

Logarithmic Function Examples
JACQUELINE E. COUPLIN

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2003

Application or Docket Number

106 46615

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	67	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	67 minus 20 =	47
INDEPENDENT CLAIMS	minus 3 =	0
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY
TYPE

RATE	FEES
BASIC FEE	385.00
X\$ 9=	
X43=	
+145=	
TOTAL	

OTHER THAN
OR SMALL ENTITY

RATE	FEES
BASIC FEE	770.00
XS18=	
X86=	
+290=	
OR. TOTAL	

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	67	Minus	67	0
Independent	1	Minus	3	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

SMALL ENTITY OR OTHER THAN
SMALL ENTITY

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL ADDT. FEE		TOTAL ADDT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	43	Minus	67	0
Independent	4	Minus	4	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL ADDT. FEE		TOTAL ADDT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	0	Minus	0	0
Independent	0	Minus	0	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL ADDT. FEE		TOTAL ADDT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.